

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOSEPH DURAND YOUNG,
HEAVENLY DIANCA-LADELL ALEXANDER,
MARTINA CHANELL ALEXANDER,
MALREA TAMARA ALEXANDER and
LAMARR KEVIN ALEXANDER, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

UNPUBLISHED
December 2, 2003

v

ROSA ERNESTINE ALEXANDER,

Respondent-Appellant,

No. 245535
Macomb Circuit Court
Family Division
LC No. 00-049426-NA

and

KEVIN CARLISLE and THEO SIMMONS,

Respondents.

Before: Murray, P.J., and Gage and Kelly, JJ.

MEMORANDUM.

Respondent Alexander appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(b)(ii), (c)(i), (g) and (j). We affirm.

The trial court did not clearly err in finding that at least one statutory ground for termination had been proved by clear and convincing evidence. *In re IEM*, 233 Mich App 438, 450; 592 NW2d 751 (1999). The children came into care because one of them had been sexually abused by an adult, as indicated by testing positive for sexually transmitted diseases, and the children engaged in sexual acts with one another. Respondent took no action to stop the sexual activity while the children were in the home despite being told about it by one of the children. After the children had been removed from the home, respondent refused to acknowledge that any sexual abuse had occurred, and did not participate in counseling to address the issue. Further, the trial court's finding regarding the children's best interests was not clearly erroneous. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 354, 356-357; 612 NW2d 407 (2000). Therefore, the

trial court did not clearly err in terminating respondent's parental rights. *Trejo, supra* at 356-357.

Affirmed.

/s/ Christopher M. Murray

/s/ Hilda R. Gage

/s/ Kirsten Frank Kelly